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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/819,703  | 03/29/2001  | Kenichiro Sakai      | 826.1720            | 4089             |
| 21171   | 7590        | 10/20/2005           | EXAMINER            |                  |
| STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      | TUNG, KEE M         |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2671                |                  |

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/819,703

Applicant(s)

SAKAI ET AL.

Examiner

Kee M. Tung

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The amendment filed 8/15/05 has been fully considered in preparing this Office action.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 and 7-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nunokawa et al (6,335,729 hereinafter "Nunokawa") in view of Kondo et al (6,512,497 hereinafter "Kondo").

Nunokawa teaches an image display device and a method (Figs. 1 and 3) for storing a plurality of images (map data) and displaying the image based on a user's display operation (from operation unit 19) comprising a non-volatile storage unit (18) storing data which can be rewritten and maintaining stored data even if a main power supply is switched off; an image storage unit (17) storing an image; an image display unit (15) displaying the image stored in the image storage unit; an operation detection unit detecting a user's display operation to modify a display state of the image displayed on the image display unit (col. 4, lines 15-22); a display information reading unit (such as a step of reading, col. 2, lines 33-35) for reading the display information from said non-volatile storage unit when power is switched on; and a display information writing

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unit (steps 109 and 110) for writing the display information for indicating a display state (it is noted that Nunokawa stores the display image information instead of the claimed display state of the currently displaying image. However, the display state information is directly linked to the currently displaying image and is used to link again the last displayed image once the power is on. The point is that they both try to solve the same problem that waste time to retrieve the last display image before power off. Nunokawa further teaches to store "predetermined control information into the non-volatile storage means to eliminate a need for reading various control data for the recording medium after the power supply is turned on and makes it possible to reduce the time spent before information is displayed after the power supply is turned on accordingly" (col. 10, line 61 to col. 11, line 3 and col. 8, lines 17-21). Kondo teaches to store the display state instead of the last display image. See below) of a currently displayed image in the non-volatile storage unit corresponding to one of the plurality of images based on the detection result of the operation detection unit if the display information is not already stored in the non-volatile storage unit (It is noted that Nunokawa does not checked to see if the display information is already stored or not because it is well known that in the automobile navigation system if you used it, it means that you have just travel or from one location to another and the displayed information must be changed from the last time, so that the display information is new and is not already stored. Furthermore, to check if the display information is not already stored is a well known and well used practice in the data access art, for example, if you use the Microsoft Word or Excel to save the file, the system will automatically ask "do you want to save the changes you

made to the file?" or something like this.) Kondo teaches an image information display device, such as, an electronic book (Fig. 2) comprising a recording medium (5), operation unit (23), a CPU (21), a ROM (24), a RAM (25), two displays (27 and 28) and a power controller (29). Kondo further teaches to store the display state information instead of the display image when power OFF is instructed (col. 5, lines 20-39, "if the recording medium 5 has not been replaced, the **display state** that was active the last time the power was turned OFF is reproduced." In two-screen mode, the image data for the current page and the next page is read and displayed, ie, two or plural images). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to replace the teachings of store display state information of Kondo into predetermined control information of Nunokawa in order to reduce the time spent before information is displayed after the power is turned on, furthermore, Kondo suggests or teaches the electronic book can be replaced by any battery-driven (portable) electronic device such as a laptop or PDA (col. 7, lines 51-54). Therefore, at least claims 1, 2, 4, 7, 8, 10-15 would have been obvious.

As per claim 3, Nunokawa fails explicitly teach or suggest if the display information read from said non-volatile storage unit is not a prescribed value, said display information reading unit modifies the display information to a prescribed rating value. However, Nunokawa teaches to display the last display image before power OFF which means there is no need to make any adjustment to the position or size unless it is a new display information which you can changed via operation unit. If the present invention requires the correction for the last stored display state information,

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then, the retrieve display information can not be the last stored display state as applicant claimed to over come from prior art.

As per claim 5, Nunokawa teaches if said operation detection unit does not detect another user's display operation during a specific time period after detecting a user's display operation, said display information writing unit writes the display information in said non-volatile storage unit (such as, in the parking lot when the car is not moving).

As per claim 9, Nunokawa teaches the display information includes at least one of information for specifying an original image, information about magnification of a display image and information for indicating a position in the original image of a display image (col. 4, lines 15-38).

### ***Response to Arguments***

4. Applicant's arguments filed 8/15/05 have been fully considered but they are not persuasive.

Basically, applicant argues that the combination of Nunokawa and Kondo would defeat the objective of Nunokawa. The examiner disagrees. Nunokawa teaches to store both display information and predetermined control information in order to reduce the time spent before information is displayed after the power supply is turned on (col. 11, lines 1-3). Nunokawa did not mention the "control information" is "state information", however, they seems to provide the same function which speed up the image display processing by reducing the time spent on waiting.

Applicant further argues Nunokawa fails to teach to store plural images. However, Kondo at least teaches to store a current page and a next page in two-screen mode and each page at least include one image.

Regarding arguments to "each of a plurality of images that were previously displayed can be displayed with the same characteristics with which they were previously displayed". However, the display information writing unit only writes the currently (or last displayed image before power off) displayed image which is exactly what Kondo teaches.

### ***Conclusion***


5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kee M. Tung whose telephone number is 571-272-7794. The examiner can normally be reached on Tuesday - Friday from 5:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kee M Tung  
Primary Examiner  
Art Unit 26711